



RCE 1/2008
SF

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 USC §132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|------------------|
| Application Number | 10/628,013 |
| Filing Date | July 25, 2003 |
| First Named Inventor | Daniel DIETZEL |
| Group Art Unit | 3732 |
| Examiner Name | Araj, Michael J. |
| Attorney Docket Number | 3401-138RCE |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000 applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

| | | |
|------|---|------|
| 1. | Submission required under 37 C.F.R. § 1.114 | |
| a. | <input type="checkbox"/> Previously submitted <ul style="list-style-type: none"> i. <input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on. (Any unentered amendment(s) referred to above will be entered). ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on iii. <input type="checkbox"/> Other | |
| b. | <input checked="" type="checkbox"/> Enclosed <ul style="list-style-type: none"> i. <input checked="" type="checkbox"/> Amendment/Reply ii. <input type="checkbox"/> Affidavit(s)/Declaration(s) iii. <input type="checkbox"/> Information Disclosure Statement (IDS) iv. <input type="checkbox"/> Other | |
| | 07/31/2007 CNEGA1 00000049 10628813 01 FC:1801 790.00 OP | |
| 2. | Miscellaneous | |
| a. | <input type="checkbox"/> Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed three months; Fee under 37 C.F.R. § 1.17(l) required) | |
| b. | <input type="checkbox"/> Other <table border="1" style="margin-left: 20px;"> <tr> <td>Fees</td> </tr> </table> | Fees |
| Fees | | |
| 3. | <input type="checkbox"/> Fees <p>The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.</p> <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No.: <u>03-2412</u>. <ul style="list-style-type: none"> i. <input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e), if not already paid by check ii. <input checked="" type="checkbox"/> Extension of time fee (37C.F.R. §§ 1.136 and 1.17), if not already paid by check iii. <input type="checkbox"/> Small Entity Status is being claimed for this application. vi. <input type="checkbox"/> Other b. <input checked="" type="checkbox"/> Check in the amount of \$910.00 enclosed. c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed) | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|--------------------|-----------------------------------|--------|
| Name (Print/Type) | Alfred W. Froebich | Registration No. (Attorney/Agent) | 38,887 |
| Signature | | | |
| | Date | July 26, 2007 | |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: July 26, 2007

| | |
|-------------------|--------------------|
| Name (Print/Type) | Alfred W. Froebich |
| Signature | |
| | Date |
| | July 26, 2007 |